

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAMUEL B. RANDOLPH, IV,	:	CIVIL ACTION
	:	NO. 11-3396
Plaintiff,	:	
	:	
v.	:	
	:	
JOHN WETZEL, et al.,	:	
	:	
Defendants.	:	

O R D E R

AND NOW, this **18th** day of **December, 2013**, for the reasons stated below it is hereby **ORDERED** as follows:

(1) Commonwealth Defendants' Motion for Summary Judgment (ECF No. 78) is **GRANTED in part and DENIED in part** as set forth below;

(a) It is **GRANTED** for all claims against all Defendants in their official capacity;

(b) It is **GRANTED** as to claims under the Eighth Amendment for failure to intervene as to Plaintiff's medical care;

(c) It is **GRANTED** as to claims under the Eighth Amendment for denial of food and water;

(d) It is **GRANTED** as to claims under the Eighth Amendment for refusing to transport Plaintiff on a gurney;

(e) It is **GRANTED** as to claims under the Eighth

Amendment for denial of visitation privileges;

(f) It is **GRANTED** as to claims under the Eighth Amendment for the fluorescent lighting;

(g) It is **GRANTED** as to claims under the Americans with Disabilities Act;

(h) It is **GRANTED** as to claims under the Fourteenth Amendment for denial of due process;

(i) It is **GRANTED** as to claims under the Fourteenth Amendment for denial of access to the courts;

(j) It is **DENIED** as to claims under the Eighth Amendment for excessive use of force against Defendants Speelman, Lacotta, and Rambler;

(k) It is **DENIED** as to claims under the First Amendment for retaliation against Defendants Speelman and Lacotta; and

(l) It is **GRANTED** as to claims under the First Amendment for retaliation against all remaining Commonwealth Defendants;

(2) Medical Defendants' Motion for Summary Judgment (ECF NO. 81) is **GRANTED in part and DENIED in part** as set forth below;

(a) It is **GRANTED** as to claims under the Americans with Disabilities Act;

(b) It is **GRANTED** as to claims under the Eighth

Amendment for failure to provide treatment and for fluorescent;

(c) It is **GRANTED** as to claims under the Eighth Amendment for Cruel and Unusual Punishment for denial of food and water;

(d) It is **GRANTED** as to claims under the Fourteenth Amendment for denial of due process;

(e) It is **DENIED without prejudice** as to the claims for medical malpractice;

(3) Plaintiff's claims for injunctive relief are **DISMISSED**; and

(4) Plaintiff's Motion for Partial Summary Judgment (ECF No. 113) is **DENIED**.

IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.